

## Central Valley Regional Water Quality Control Board

22 July 2016

J. Price, Warden  
Deuel Vocational Institution  
California Department of Corrections and Rehabilitation  
P.O. Box 400  
Tracy, CA 95378-0004

**Certified Mail**  
91 7199 9991 7035 8363 4975

**ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R5-2016-0536, CALIFORNIA  
DEPARTMENT OF CORRECTIONS, DEUEL VOCATIONAL INSTITUTION WASTEWATER  
TREATMENT PLANT, SAN JOAQUIN COUNTY**

Enclosed is an Administrative Civil Liability Complaint (Complaint), issued pursuant to California Water Code (CWC) section 13323. The Complaint alleges that the California Department of Corrections, Deuel Vocational Institute (Discharger), failed to submit technical reports as required by Cease and Desist Order R5-2009-0014. The Complaint recommends an administrative civil liability in the amount of **four million thirty seven thousand six hundred twenty dollars (\$4,037,620)**.

The Discharger may:

- Pay the proposed administrative civil liability and waive its right to a hearing (Option #1 on the attached waiver form);
- Ask that the hearing be postponed to facilitate settlement discussions or for other reasons (Options #2 or #3 on the attached waiver form); or
- Contest the Complaint and/or enter into settlement discussions without signing the enclosed waiver.

If the Central Valley Water Board does not receive a signed waiver by **12 August 2016**, a hearing will be scheduled for the **13/14 October 2016** Board meeting in Redding. This hearing will be governed by the attached Hearing Procedure, which has been approved by the Board Chair for use in adjudicating matters such as this one. Any objections to the Hearing Procedure must be received by Patrick Pulupa, whose contact information is listed in the Hearing Procedure, by **5 p.m. on 29 July 2016**.

If the Discharger chooses to sign the waiver and pay the assessed civil liability, this will be considered a tentative settlement of the violations. Payment must be received by **12 August 2016**. The Discharger shall indicate on the check the number of this Complaint and send it to the State Water Resources Control Board, Accounting Office, Attn: ACL Payment, P.O. Box 1888, Sacramento, California, 95812-1888. The check shall be made payable to the *State Water Board Cleanup and Abatement Account*. The waiver and a copy of the check must also be mailed to the Central Valley Water Board at 11020 Sun Center Drive #200, Rancho Cordova, California 95670 attention to Wendy Wyels by **12 August 2016**.

The settlement will be considered final pending a 30-day public comment period, starting from the date this Complaint is issued. Interested parties may comment on the proposed action during this period by submitting written comments to the Central Valley Water Board staff person listed below. Should the Central Valley Water Board receive new information or comments during this comment period, the Assistant Executive Officer may withdraw the Complaint, return payment, and issue a new complaint. If the Central Valley Water Board does not hold a hearing on the matter, and if the terms of the final settlement are not significantly different from those proposed in the enclosed Complaint, then there will not be additional opportunities for public comment on the proposed settlement.

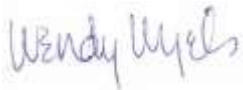
Also included is an "ACL Fact Sheet" which provides additional information about the options for resolution, the type of information that must be provided if you wish to the Board to consider your ability to pay, and the petition process.

In order to conserve resources, this letter transmits paper copies of the documents to the Dischargers only. Interested persons may download the documents from the Central Valley Water Board's Internet website at:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/tentative\\_orders/](http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/).

Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office weekdays between 8:00 AM and 5:00 PM.

If you have any questions or comments regarding the Administrative Civil Liability Complaint, please contact Kari Holmes at (916) 464-4623 or [kari.holmes@waterboards.ca.gov](mailto:kari.holmes@waterboards.ca.gov).



WENDY WYELS, Supervisor  
Compliance and Enforcement Section

Enclosures: ACL Fact Sheet  
ACL Complaint R5-2016-0536

- Waiver Form
- Attachment A – Penalty Calculation Methodology including Exhibit 1, Economic Benefit Analysis
- Attachment B – Effluent Limit Violations Hearing Procedure

cc w/ enc: Andrew Altevogt, Central Valley Water Board, Rancho Cordova  
Vanessa Young, State Water Board Office of Enforcement, Sacramento  
Jaime Rodriguez, Chief Engineer 1, Deuel Vocational Institution, Tracy  
Pedro Reyes, CDCR, Rancho Cordova  
Jeff Stanley, CDCR, Rancho Cordova  
Terri Madia, CDCR, Rancho Cordova  
Fred Cordano, CDCR, Rancho Cordova  
Donald Struckman, Staff Counsel, CDCR, Rancho Cordova  
Pamela Creedon, Central Valley Water Board, Rancho Cordova  
Patrick Pulupa, Office of Chief Counsel, SWRCB, Sacramento